



COMDTINST 1524.2

OCT 8, 1998

COMMANDANT INSTRUCTION 1524.2

Subj: **Law Advanced Education Juris Doctor Degree Program**

Ref (a) COMDTINST M1500.10 (series), Training & Education Manual
(b) COMDTINST 1524.1, Coast Guard Advanced Education Program
(c) COMSTINST M1000.6 (series), Personnel Manual

1. PURPOSE. This instruction establishes policy and provides guidance for Coast Guard officers selected to attend law school (J.D. degree) under the Coast Guard's Advanced Education (AE) program set forth in references (a) and (b).
2. ACTION. Area and district commanders, commanders of maintenance & logistics commands and unit commanding officers shall insure this instruction is made available to officers interested in the law AE program. Officers selected for law Advanced Education shall comply with the provisions of this instruction. MLC, district and base legal officers and chiefs of headquarters G-L Offices shall comply with this instruction to the extent that it applies when Coast Guard law AE students are assigned to their staffs for summer internships.
3. DIRECTIVE AFFECTED. None.
4. DISCUSSION. Each year the Coast Guard selects approximately 6 officers to attend fulltime advanced education in law leading to the Juris Doctor (JD) degree. The exact number of selections is determined annually based on the allocation of Training Allowance Billets (TABs) to all advanced education programs and by budget considerations. References (a) and (b) govern the application criteria and process. The Program Manager for the Law Advanced Education program is the Office of Legal Policy & Program Development (G-LPD) of the Chief Counsel.

5. SCHOOL SELECTION. All CG law AE students must attend an American Bar Association accredited law school. The normal course of study for the JD degree is three years (36 months) with breaks for the summer terms. Some schools however, allow graduation after 30 months, with a summer course load. The legal program prefers the three year course of study at a law school within normal commuting distance from a Coast Guard legal office or staff (i.e., CGHQ, the MLCs, district offices, CGA). This permits a summer internship at a Coast Guard legal office. Under some circumstances, however, officers may complete a 2 1/2-year (30 month) program when it can be shown that the Coast Guard and the officer will benefit (financially or otherwise) by the choice compared to a 36-month program. Attending a thirty-month law school program may limit the ability to take advantage of co-curricular opportunities such as law review and moot court. It will likely result in a midyear PCS move (early March). The law AE program manager must approve all school selections before orders will be issued.
 - a. Cost. The Coast Guard will only fund tuition. Books, fees, and other costs must be borne by the law student. Full tuition will only be funded for schools with annual tuition rates falling below limits set each year based on the program's tuition budget. Officers may elect to attend schools where tuition exceeds this limit if they agree to pay excess tuition costs personally (i.e., cost sharing). In making such a decision, officers should bear in mind that the costs of books, fees, bar review courses and other incidental expenses associated with law school can be significant without adding additional tuition expenses. Students are encouraged to seek in-state tuition rates whenever possible. G-LPD will assist law AE selectees in identifying law schools with acceptable tuition rates.
 - b. Transfer Policy. Normally, students are assigned to law schools in the geographic area they are currently stationed in or in one that they could be assigned in upon completion of law school. This "one move" guideline is used to minimize PCS costs. It is, however, just a guideline. There is no guarantee of any particular assignment following law school.
6. CURRICULUM. While attending law school, officers are expected to take a broad range of substantive and procedural legal courses, as the practice of law in the Coast Guard is quite diverse. Generally speaking, course selection should include the classic legal courses such as contracts, property, torts, evidence, ethics, and procedure. Other useful courses are admiralty/maritime/ocean law, international law, environmental law, administrative law, wills and trusts, personal income tax, government contracts, and those applicable to criminal trial practice (i.e., criminal law, constitutional criminal procedure (4th/5th/6th amendment law), and trial advocacy/trial practice, etc.). The program frowns on law students concentrating on areas such as tax, property, commercial/corporate practice, etc. Opportunities sometimes exist for writing and research. Students are encouraged to contact the law AE program manager in G-LPD for possible topics benefiting the Coast Guard. Law AE students shall review each semester's course selections with the program manager in G-LPD.

7. SUMMER ASSIGNMENTS. During the summer term, law AE students should expect to be assigned to a Coast Guard legal office or staff. The purpose of this assignment is to acquaint the officer with the practice of law in the Coast Guard, learn about Coast Guard legal program organization, and provide valuable practical legal experience. It also provides Coast Guard legal offices badly needed supplemental resources. No TAD costs will be paid for summer assignments. Legal offices should provide challenging assignments commensurate with the student's legal experience and abilities. Maximizing opportunities for experience in military justice matters is highly desirable. Exceptions to the policy of assigning law AE students to Coast Guard legal offices must be approved by G-LPD and may be made for the following reasons:
 - a. Attendance in a 30 month law school program.
 - b. Students attending law schools in a 36-month program, where there is no CG legal office within normal commuting distance. In such cases, special arrangements for summer assignment will be made to such places as:
 - (1) Coast Guard Marine Safety Offices.
 - (2) Internships in US Attorney offices.
 - (3) Internships with other federal government agency legal staffs.
 - c. Students selected for positions of significant responsibility (editor-in-chief, managing editor, etc.) on Law Reviews and Journals.
8. OFFICER EVALUATION REPORTS. OERs during law school attendance are submitted in accordance with the guidance contained in chapter 10.A.5 of reference (c). For all law students, the OER supervisor and reporting officer is the law AE Program Manager in G-LPD, the reviewer is the Chief, G-LPD. Specific names, SSN's, etc. will be provided annually. The original OER should be received in G-LPD as soon as possible after the 30 June guideline set by reference (c). If it will be delayed beyond 1 August notify the law AE program manager in G-LPD. Officers attending a 30-month program should contact the law program manager to set up their OER reporting cycle. The final OER period for graduating law students ends the day following the completion of the bar examination. OERs should be submitted as soon as possible; do not wait for the results of the bar exam. OERs must be submitted using the new OER forms (revised Oct '97). Previous forms are not acceptable.
 - a. Law students may include a memo or letter detailing personal and professional accomplishments during the year/semester. These should relate to the OER

performance dimensions. Include academic achievements & awards, extracurricular activities, leadership/management positions, community activities and anything else that helps to illuminate the quality of your DUINS performance.

- b. Performance during the summer internship may be reported by letter or memo from the legal office/staff to G-LPD or by concurrent OER in accordance with paragraphs 10.A.5.a.1.d and 10.A.2 of reference (c). Generally, a letter/memo report will be sufficient except where exceptional performance warrants a concurrent OER. Copies of the performance report or concurrent OER should be included with all OER submissions.
9. LEAVE. Recognizing that law students frequently devote school holidays and semester breaks to study, writing, and research, they are not required to take leave for these periods unless they will be travelling outside CONUS. Law students should not expect to take more than three weeks leave during the summer months. Requests for summer leave in excess of three weeks or for OUTCONUS leave during the school year should be made to G-LPD. Requests for leave while assigned to a Coast Guard legal office or staff shall be submitted to that office/staff.
10. BAR REVIEW AND EXAMINATIONS. All law AE students are required to take a bar exam immediately after graduation from law school, normally in late July. The decision of which state's bar examination to take is up to each student; the legal program will not force a choice. However, be aware that virtually every state assesses annual bar dues, and that an increasing number of states have mandatory continuing legal education (CLE) requirements. These may influence the decision regarding which bar exam is taken.
 - a. Bar Review. It is strongly recommended that all law students complete a bar review course prior to taking the bar exam. Such courses serve as a review of three years of law school and often fill in the gaps for subjects not covered in school. Beginning with those law AE students starting law school in fall, 1998, the Coast Guard will not fund bar review courses. For students starting school prior to this, one bar review course will be funded
 - b. Bar Exam. Even though a license to practice law is required by the Coast Guard, the Comptroller General has ruled that bar admission fees, bar examination fees, and annual bar dues are personal expenses expected to be borne by the individual. Consequently, the Coast Guard cannot fund these expenses.
 - (1) The legal program will fund the costs of TAD to the location of the bar exam for the state in which you attend law school, or an adjacent state where the cost is less. Normally, this TAD will only be for the days of the exam, and not for the review course. If a student desires to take a bar exam for a more remote state, permissive orders may be requested.

- (2) Requests for bar exam orders should be made well in advance to the law AE program manager in G-LPD.

11. SERVICE OBLIGATION. Per reference (b), the service obligation for officers attending the law AE program is 3 months of obligated service for every month of law school, not to exceed six years. Thus, for the majority of law AE students, there will be a six year obligation. Any tuition cost-sharing does not reduce this obligation.

/s/ J. E. SHKOR
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U.S. Department
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